

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA, and the
STATE OF NEW YORK, *ex rel.*
WILLIAM J. ROLD,

Plaintiffs,

v.

RAFF & BECKER, LLP, DAVID A. RAFF,
ROBERT L. BECKER, M. PATRICIA SMITH,
LEONARD D. POLLETTA, and
ANDREW M. CUOMO,

Defendants.

-----X
STIPULATION AND ORDER

Civil Action No. CV 11-6374

(Irizarry, J.)
(Pohorelsky, M.J.)

WHEREAS, on or about December 30, 2011, Relator William J. Rold commenced this action by the filing of a complaint in which he asserted claims on behalf of the United States pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. §§ 3729-33, and on behalf of the State of New York pursuant to the New York False Claims Act, NY CLS St. Fin. §§ 187-194 (the “Qui Tam Complaint”); and

WHEREAS, the Relator served the Qui Tam Complaint upon the Attorney General of the United States on or about March 28, 2012; and

WHEREAS, in accordance with 31 U.S.C. § 3730(b)(2), the Qui Tam Complaint was deemed sealed for a period of at least sixty days from the date that the Relator served upon the United States the Qui Tam Complaint and a written disclosure of substantially all material evidence and information in Relator’s possession; and

WHEREAS, pursuant to Stipulation and Order entered May 31, 2012, the seal and

U.S. and N.Y. *ex rel.* Rold v. Raff & Becker, No. CV-11-6374, Stip. and Order

the date by which the United States was and the State of New York were to determine whether to intervene in the action was extended to August 28, 2012; and

WHEREAS, pursuant to Stipulation and Order entered August 22, 2012, the seal was lifted and the date by which the United States was to determine whether to intervene in this action was extended to November 30, 2012; and

WHEREAS, pursuant to Stipulation and Order entered December 14, 2012 the date by which the United States was to determine whether to intervene in this action was extended to January 31, 2013; and

WHEREAS, in order for the United States to adequately investigate and evaluate the allegations contained in the Qui Tam Complaint, the United States and all parties have agreed that time of the United States to determine whether to intervene in this action be extended to April 5, 2013.

THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED that the date by which the United States shall determine whether to intervene in this action is extended to April 5, 2013.

Dated: Brooklyn, New York
January 31, 2013

LORETTA E. LYNCH
United States Attorney
Eastern District of New York
271 Cadman Plaza East, 7th Floor
Brooklyn, New York 11201

By: s/Richard K. Hayes
Richard K. Hayes
Assistant U.S. Attorney
(718) 254-6050

Dated: Hato Rey, Puerto Rico
January 31, 2013

LAW OFFICES OF
JANE BECKER WHITAKER
416 Ponce de Leon Avenue
Hato Rey, P.R. 00918

By: s/Jane Becker Whitaker
Jane Becker Whitaker, Esq.
(787) 754-9191
Attorney for Relator

Dated: New York, New York
January 31, 2013

LAW OFFICES OF STEVEN A. ROSEN
271 Madison Avenue, Suite 1404
New York, New York 10016

By: s/Steven A. Rosen
Steven A. Rosen, Esq.
(212) 599-3970
Attorney for Relator

Dated: New York, New York
January 31, 2013

LEWIS BRISBOIS BISGAARD
AND SMITH
77 Water Street
Suite 2100
New York, New York 10005

By: s/Mark K. Anesh
Mark K. Anesh, Esq.
Jordan Kaplan, Esq.
(212) 232-1411
Attorneys for Raff & Becker, LLP

Dated: New York, New York
January 31, 2013

EMERY, CELLI, BRINCKERHOFF
& ABADY
75 Rockfeller Plaza
20th Floor
New York, New York 10019

By: s/Andrew G. Celli
Andrew G. Celli, Esq.
(212) 763-5000
Attorneys for M. Patricia Smith

Dated: New York, New York
January 31, 2013

MEYER, SUOZZI, ENGLISH & KLEIN
1350 Broadway
Suite 501
New York, New York 10018

By: s/Hanan B. Kolko
Hanan B. Kolko, Esq.
Melissa S.Woods, Esq.
(212) 239-4999
Attorneys for Leonard D. Polletta

U.S. and N.Y. ex rel. Rold v. Raff & Becker, No. CV-11-6374, Stip. and Order

Dated: New York, New York
January 31, 2013

CADWALADER, WICKERSHAM
& TAFT LLP
One World Financial Center
New York, New York 10281

700 6th Street, N.W.
Washington, D.C. 2001

By: s/Howard R. Hawkins
Howard R. Hawkins, Esq.
(212) 504-6422
Adam S. Lurie, Esq.
(202) 862-2461
Attorneys for Andrew M. Cuomo

SO ORDERED:

Dated: Brooklyn, New York

February 1, 2013

s/DLI

HONORABLE DORA L. IRIZARRY
UNITED STATES DISTRICT COURT JUDGE